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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	CR No. 08-0025 WHA
)	
Plaintiff,)	STIPULATION AND [PROPOSED] ORDER
)	CONTINUING SENTENCING DATE
v.)	
)	
REMSEN BENEDICT,)	
)	
Defendant.)	
_____)	

This matter is scheduled for Sentencing on Tuesday, May 19, 2009. As referenced in the Stipulation and Order continuing sentencing upon request of the defendant (*ECF Docket No. 46*), in aid of sentencing, the defense has obtained a psychological evaluation of the defendant. Through no fault of defense counsel, this evaluation was completed later than anticipated and was not able to be provided to government counsel until May 1, 2009. This evaluation contains findings by a psychologist based, in part, on approximately 12 hours of interviews with the defendant and the findings therein are based, in part, on psychological literature and a diagnostic tool called the Psychopathy Checklist.

1 To properly prepare for sentencing, the United States will need to research the
2 psychological literature and diagnostic tool used (Psychopathy Checklist) and likely retain an
3 expert to explain and address this findings within the evaluation.

4 To afford counsel for the United States sufficient time to assess the findings within the
5 defense evaluation and prepare its response, the parties request a continuance until June 23,
6 2009. Although the parties seek to proceed expeditiously, counsel for the United States will be
7 out of the District for training the week of May 25, 2009 and unavailable due to another training
8 program on the week of June 1, 2009. Counsel for the defendant is unavailable on June 16,
9 2009.

10 Probation Officer Sparks has advised that he is available on June 23, 2009.

11 SO STIPULATED:

12 JOSEPH P. RUSSONIELLO
13 United States Attorney

14 DATED: May 7, 2009

15 /s/
16 DENISE MARIE BARTON
Assistant United States Attorney

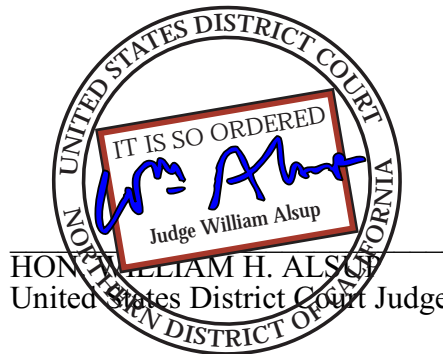
17 DATED: May 7, 2009

18 /s/
19 GEORGE C. BOISSEAU
GEOFFREY DUNHAM
Attorney for REMSEN BENEDICT

20 GOOD CAUSE APPEARING, it is hereby ordered that sentencing in this matter is continued
21 from May 19, 2009 until June 23, 2009.

22
23 SO ORDERED.

24
25 DATED: May 8, 2009



26 HONORABLE WILLIAM H. ALSUP
27 United States District Court Judge
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